

ROSS, BANKS, MAY, CRON & CAVIN, P.C.
Attorneys at Law

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August 28, 2008

Secretary
Surface Transportation Board
395 "E" Street SW
Washington, D.C. 20423

RECORDATION NO. 23848-A FILED
AUG 29 08 2-20 PM

Via Overnight Delivery

SURFACE TRANSPORTATION BOARD

Re: That certain note in the original principal amounts of **\$100,000.00** executed by **Theodore Burkhart and Eva O. Burkhart** and payable to Bank of Houston ("Loan")
Our File No. **4003-124**

Dear Secretary:

I hereby submit for filing and recording an executed original of a primary document, not previously recorded, the following Release:

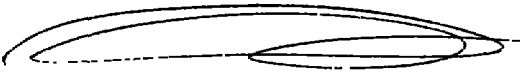
Full Release of Security Agreement and Mortgage dated August 1, 2008 by Sterling Bank concerning the Security Agreement and Chattel Mortgage dated July 31, 2001 between Theodore Burkhart and Eva O. Burkhart and Sterling Bank filed under Recordation Number 23848.

Enclosed is our firm check number in the amount of **\$41.00** in payment of the filing fees. The file-stamped copy of the Releases should be returned to the undersigned at the address provided below.

Thank you for your assistance and please do not hesitate to contact me at (713) 626-1200 should you have any questions or need additional information.

Very truly yours,

ROSS, BANKS, MAY, CRON & CAVIN, P.C.


Jim D. Hamilton
For the Firm
JDH/re

AUG 29 08

2-20 PM

SURFACE TRANSPORTATION BOARD

FULL RELEASE OF SECURITY AGREEMENT AND MORTGAGE

This Release, dated as of AUGUST 1, 2008, is made by **Sterling Bank**.

1. Reference is made to the Security Agreement and Chattel Mortgage dated **July 31, 2001**, between **Theodore Burkhart and Eva O. Burkhart**, as Mortgagor, and **Sterling Bank**, as Mortgagee, which was duly filed in accordance with 49 U.S.C. 11303(a), under Recordation Number **23848**, covering, among other items, the railcars described on Exhibit "A".

2. **Sterling Bank**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby releases any and all security interests, liens, claims and other encumbrances granted pursuant to said Security Agreement and Chattel Mortgage.

IN WITNESS WHEREOF, **Sterling Bank**, has caused this Release to be duly executed by its authorized officer as the day and year first above written.

Sterling Bank

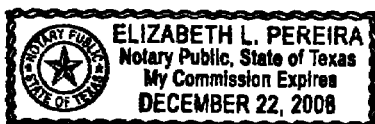
By: Loretta Medina
Name: LORETTA MEDINA
Title: ASSISTANT VICE PRESIDENT

STATE OF TEXAS

COUNTY OF HARRIS

§
§
§

On this 1st day of AUGUST, 2008 before me personally appeared LORETTA MEDINA, to me personally known, who, being duly sworn did say that she is the ASSISTANT VICE PRESIDENT of **Sterling Bank**, and that said instrument was signed on behalf of said institution, and he acknowledged that the execution of said instrument was the free act and deed of said institution.



Elizabeth L. Pereira
NOTARY PUBLIC FOR THE STATE OF TEXAS

EXHIBIT "A"

COLLATERAL

Two (2) 34,000 gallon, pressure Railroad Tank Cars described as follows:

PLMX 4103 (DOT #112J340W)

PLMX 4109 (DOT #J400W)